

USDI, Bureau of Land Management
Three Rivers Resource Area, Burns District
Hines, Oregon 97738

Final Decision Record for
Five Creeks Rangeland Restoration Environmental Assessment
OR-06-027-022

Decision: Having considered a full range of alternatives and associated impacts, it is my final decision to implement the proposed action for the Five Creeks Rangeland Restoration as described in Environmental Assessment (EA) OR-06-027-022. The proposed action is to utilize various forms of prescribed fire and mechanical treatments in the Five Creeks Rangeland Restoration Project Area (Project Area) to manage encroaching juniper and reduce hazardous fuels accumulations.

The proposal is in compliance with the Steens Mountain Cooperative Management and Protection Act of 2000, the Steens Mountain Cooperative Management and Protection Area Resource Management Plan (RMP) of 2005 and Final Environmental Impact Statement (FEIS) of 2004, and Three Rivers RMP/FEIS of 1992. The proposed action is in conformance with objectives and would help achieve standards for rangeland health identified August 12, 1997, in Standards for Rangeland Health and Guidelines for Livestock Management for Public Lands Administered by the Bureau of Land Management (BLM) in the States of Oregon and Washington. This project is also consistent with Objectives and Desired Future Conditions for the Diamond Fire Management Unit set forth in the Burns Interagency Fire Zone Fire Management Plan (2004). This project is consistent with the Smyth-Kiger, Happy Valley, Riddle Mountain, Riddle/Coyote, and Burnt Flat Allotment Management Plans, Evaluations, and Assessments for Rangeland Health and Guidelines for Livestock Management, in conformance with State, Tribal, and local laws, regulations, and land use plans and is compliant with the Greater Sage-Grouse Conservation Assessment and Strategy for Oregon.

Rationale for Decision: I have selected the proposed action for the following reasons:

1. Similar landscape treatments using prescribed fire and mechanical juniper cutting treatments have been conducted on and around Steens Mountain for approximately 15 years. These treatments have been successful at meeting project objectives similar to those described in the Five Creeks Rangeland Restoration EA. These past projects have demonstrated the BLM's ability to successfully treat juniper using prescribed burns and mechanical treatments to restore riparian, sagebrush, and aspen communities.
2. Hazardous fuels within the Project Area would be reduced, especially within previously treated juniper cuts.
3. The proposed action would move the species composition and structure of big sagebrush-bunchgrass, low sagebrush-bunchgrass, aspen and riparian communities toward pre Euro-American immigration conditions.

4. The proposed action would create a mosaic of plant communities and seral stages with tree, shrub, and herbaceous components resulting in a more diverse landscape increasing structural, biological, and habitat diversity.
5. Riparian condition and stream functionality would be improved by expanding hydric herbaceous and deciduous riparian species where communities are currently encroached by juniper.
6. The proposed action would increase vegetation cover, litter and reduce the amount of exposed soil. This would enhance and protect the integrity of watershed function, improve watershed stability and decrease accelerating erosion.
7. The proposed action would improve and/or maintain aspen, remnant aspen, sagebrush-bunchgrass, and riparian communities to create diverse habitat for wildlife species. Create and maintain a dynamic mosaic of seral stages that will meet the forage and cover requirements for elk, mule deer, antelope, sage-grouse, neo-tropical birds, other mammals, amphibians, and reptiles.
8. The proposed action would increase wild horse and livestock forage. An increase in forage would improve livestock and wild horse distribution thereby reducing animal concentration on any given area, and may decrease overall utilization levels.
9. The Project Area would move toward the natural (historical) range of variability of vegetation characteristics; fuel composition and fire frequency, severity and pattern where fire behavior, effects, and other associated disturbances are similar to those that occurred prior to fire exclusion (suppression).
10. Benefits to sage-grouse habitat would occur where mountain big sagebrush and low sagebrush communities are in mid to late transition to juniper woodland.
11. The proposed action would maintain or improve vegetation condition beneficial to fish habitat within the Project Area.
12. Public involvement consisted of separate meetings with all involved permittees and landowners, Oregon Department of Fish and Wildlife (ODFW), Harney County Soil Water Conservation District (SWCD), Harney County Watershed Council, Steens Mountain Advisory Council (SMAC), Burns Paiute Tribal Council, and Harney County Court. A scoping document was mailed to 30 different interested publics – three parties responded. A notice of the EA was placed in the local newspaper and the EA and unsigned Finding of No Significant Impact were mailed to 30 interested publics.
13. SMAC, Watershed Council, Burns Paiute Tribal Council, ODFW, and SWCD are in support of the project. Three additional letters of support were submitted by the public encouraging juniper control in the Project Area. Oregon Natural Desert Association is in support of the project's basic purpose of restoring the ecological health of the Project Area.

14. The decision does not result in any undue or unnecessary environmental degradation.

I have also considered alternatives to the proposed action including:

Alternative A - No Action Alternative: Management under the no action alternative would proceed under the current Three Rivers RMP, Andrews/Steens RMPs, and all other relevant policy direction. A landscape level juniper treatment would not occur in the Project Area at this time. Conversion of rangelands to juniper woodlands within the Project Area would continue to advance.

This decision may be appealed to the Interior Board of Appeals, Office of the Secretary, in accordance with regulations contained in 43 CFR, Part 4 and Form 1842-1. If an appeal is filed, your notice of appeal must be filed in the Burns District Office, 28910 Hwy 20 West, Hines, Oregon 97738 by November 20, 2006. The appellant has the burden of showing that the decision appealed is in error. If you wish to file a petition, pursuant to regulations 43 CFR 4.21, for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for stay must accompany your notice of appeal. A petition for stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the Appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

1. The relative harm to the parties if the stay is granted or denied.
2. The likelihood of the appellant's success on the merits.
3. The likelihood of immediate and irreparable harm if the stay is not granted.
4. Whether or not the public interest favors granting the stay.

Signature on file
Joan M. Suther
Three Rivers Resource Area Field Manager

October 16, 2006
Date